

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32817 of 2007(F)

PETITIONER:

P.J.JOSEPH, POOKUNNEL HOUSE
P.O.PALAVAYAL, KASARGOD.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

1. THE REGIONAL TRANSPROT AUTHORITY
KASARGOD-01.
2. THE SECRETARY,
REGIONAL TRANSPROT AUTHORITY KASARGOD-01.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ANTONY DOMINIC, J.

.....
W.P.(C) No.32817 of 2007
.....

Dated this the 6th day of November, 2007.

JUDGMENT

On an application for renewal of regular permit submitted by the petitioner, the first respondent has issued Ext.P3 proceedings adjourning the application to seek clarification as to whether the judgment in W.P.(C) No.21627/2007 is applicable to all similar cases. Counsel submits that the vehicle is a light motor vehicle and the petitioner claimed the benefit of the aforesaid judgment of this court for renewal of permits in respect of the very same vehicle without it being replaced by any other category of vehicle.

2. The background of the RTA issuing such direction was that in Ext.P4 judgment, Division Bench of this court had directed the Government to consider the requirement of such replacement of four wheeled vehicles with six wheeled vehicles and take a decision thereon.

3. In view of the pendency of the matter still with the Government, this court has been directing renewal of permits of light motor vehicles without any replacement, subject to the condition that once the Government renders its order pursuant to the Division Bench judgment, further operation by the permit holder will be governed by the terms of the Government

decision. In view of the consistent orders that has been issued by this court, I clarify that the petitioner will also be entitled to the same relief.

4. Accordingly the first respondent is directed to consider the application of the petitioner for renewal of permit in the light of the observations hereinabove, within a period of eight weeks from the date of receipt of copy of this judgment.

Writ Petition is disposed of as above.

ANTONY DOMINIC
Judge

pms